

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE;  
DR. ANDREA WESLEY; DR. JOSEPH  
WESLEY; ROBERT EVANS; GARY  
FREDERICKS; PAMELA HAMNER;  
BARBARA FINN; OTHO BARNES;  
SHIRLINDA ROBERTSON; SANDRA  
SMITH; DEBORAH HULITT; RODESTA  
TUMBLIN; DR. KIA JONES; ANGELA  
GRAYSON; MARCELEAN ARRINGTON;  
VICTORIA ROBERTSON**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS**

**STATE BOARD OF ELECTION  
COMMISSIONERS; TATE REEVES, *in his  
official capacity as Governor of Mississippi*;  
LYNN FITCH, *in her official capacity as  
Attorney General of Mississippi*; MICHAEL  
WATSON, *in his official capacity as Secretary  
of State of Mississippi***

**DEFENDANTS**

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**DEFENDANT SECRETARY OF STATE MICHAEL WATSON'S UNOPPOSED  
MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS'  
SECOND SET OF INTERROGATORIES AND SECOND SET OF  
REQUESTS FOR PRODUCTION OF DOCUMENTS**

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COMES NOW Defendant Michael Watson, in his official capacity as Secretary of State of Mississippi, ("Secretary Watson") by and through counsel, and pursuant to Rules 7(b) and 29(b), *Federal Rules of Civil Procedure*, files this his unopposed motion for extension of time to respond to Plaintiffs' second set of interrogatories and second set of requests for production of documents, and in support thereof would show unto the Court the following:

1. Given activities undertaken during the month of November 2023 by the Secretary of State's Office in connection with the statewide general election and post-election certification process, the Court should extend by 16 days Secretary Watson's deadline to serve objections and responses to Plaintiffs' second sets of interrogatories and requests for production of documents, making Secretary Watson's objections and responses to Plaintiffs' second round of written discovery due on or before December 15, 2023.

2. This a legislative redistricting case involving a challenge to certain Mississippi House and Senate districts brought pursuant to Section 2 of the Voting Rights Act of 1965. Plaintiffs also assert claims of racial gerrymander. The trial of this matter is set to commence before a three-judge panel on February 26, 2024. *See* Dkt. #44 at 3.

3. On October 2, 2023, Secretary Watson timely served his objections and responses to Plaintiffs' first sets of interrogatories and requests for production of documents. *See* Secretary of State's Responses to Plaintiffs' First Set of Interrogatories (Ex. "A"); Secretary of State's Responses to Plaintiffs' First Set of Requests for Production of Documents (Ex. "B"). *See also* Dkt. #87, #88. Responsive documents were also produced at that time.

4. Almost a month later, on October 30, 2023, Plaintiffs propounded to Secretary Watson a second set of interrogatories and a second set of requests for production of documents. *See* Plaintiffs' Second Set of Interrogatories to Secretary Watson (Ex. "C"); Plaintiffs' Second Set of Requests for Production of Documents to Secretary Watson (Ex. "D"). *See also* Dkt. #101, 102.

5. Given the nature of Plaintiffs' claims, their written discovery requests directed to Secretary Watson primarily seek information and documents related to the 2022 legislative redistricting process. As was the case with Plaintiffs' first round of written discovery directed to Secretary Watson, Plaintiffs' second round of written discovery will necessitate review and a

reasonably diligent inquiry undertaken by the director and staff of the Elections Division of the Mississippi Secretary of State's Office.

6. This Court may take judicial notice that Mississippi's statewide general election occurred on Tuesday, November 7, 2023. Certification of election results is ongoing. Given activities undertaken by the Elections Division in connection with preparation for the November 7 election and post-election certification processes during the month of November 2023, Secretary Watson will require additional time to respond to Plaintiffs' second set of interrogatories and requests for production.

7. Pursuant to FRCP 33 and 34, Secretary Watson's responses to Plaintiffs' second sets of interrogatories and requests for production are presently due November 29, 2023. Pursuant to the governing case management order, the discovery deadline is presently December 11, 2023. Dkt. #44 at 3. In consideration of the foregoing and the intervening Thanksgiving holiday, Secretary Watson respectfully requests that he be granted an extension of 16 days, i.e., through and including December 15, 2023, to serve his objections and responses to Plaintiffs' second sets of interrogatories and requests for production of documents.

8. The State Defendants agree (a) that any deposition of a representative of the Secretary of State's Office pursuant to FRCP 30(b)(6) may be conducted after the discovery deadline or otherwise held open and resumed after the discovery deadline in order to accommodate questioning relating to Secretary Watson's responses to Plaintiffs' second set of interrogatories and a second set of requests for production of documents that are served after December 11, 2023, and (b) that any motion practice challenging the sufficiency of Secretary Watson's production in response to Plaintiffs' second set of interrogatories and second set of requests for production of documents will not be opposed on the ground that the discovery period has closed.

9. This motion is not interposed for delay or other improper purpose. Given the straightforward nature of the relief requested, Secretary Watson requests that the Court dispense with the filing of a separate memorandum of authorities.

10. Counsel for Secretary Watson has conferred with Plaintiffs' counsel and is authorized to represent that the relief requested herein is unopposed by Plaintiffs.

11. In further support of his motion for extension, Secretary Watson submits the following:

Exhibit "A" Secretary of State's Responses to Plaintiffs' First Set of Interrogatories

Exhibit "B" Secretary of State's Responses to Plaintiffs' First Set of Requests for Production of Documents

Exhibit "C" Plaintiffs' Second Set of Interrogatories to Secretary Watson

Exhibit "D" Plaintiffs' Second Set of Requests for Production of Documents to Secretary Watson

**WHEREFORE, PREMISES CONSIDERED,** Defendant Michael Watson, in his official capacity as Secretary of State of Mississippi, respectfully requests that the Court make and enter its Order granting his motion for a 16-day extension of time to respond to Plaintiffs' second round of written discovery requests, and providing that he shall have up to and including December 15, 2023, to serve his objections and responses to Plaintiffs' second set of interrogatories and Plaintiffs' second set of requests for production of documents.

THIS the 9th day of November, 2023.

Respectfully submitted,

MICHAEL WATSON, IN HIS OFFICIAL  
CAPACITY AS SECRETARY OF STATE OF  
MISSISSIPPI, DEFENDANT

By: LYNN FITCH, ATTORNEY GENERAL  
STATE OF MISSISSIPPI

By: s/Rex M. Shannon III  
REX M. SHANNON III (MB #102974)  
Special Assistant Attorney General

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ATTORNEYS FOR DEFENDANTS STATE  
BOARD OF ELECTION COMMISSIONERS,  
TATE REEVES, IN HIS OFFICIAL CAPACITY  
AS GOVERNOR OF MISSISSIPPI, LYNN  
FITCH, IN HER OFFICIAL CAPACITY AS  
ATTORNEY GENERAL OF MISSISSIPPI, AND  
MICHAEL WATSON, IN HIS OFFICIAL  
CAPACITY AS SECRETARY OF STATE OF  
MISSISSIPPI

**CERTIFICATE OF SERVICE**

I, Rex M. Shannon III, Special Assistant Attorney General and one of the attorneys for the above-named defendant, do hereby certify that I have this date caused to be filed with the Clerk of the Court a true and correct copy of the above and foregoing via the Court's ECF filing system, which sent notification of such filing to all counsel of record.

THIS the 9th day of November, 2023.

s/Rex M. Shannon III  
REX M. SHANNON III